IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17706 of 2006
Date of decision 9 .11.2006

Prem Pal .. petitioner

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. JS Santowal, Advocate for the petitioner

M.M.Kumar, J.

The petitioner attained the age of superannuation on 31.3.2006. However, in pursuance to the policy of the State Government he was given extension vide order dated 1.5.2006 upto the age of 60 years on the basis of fulfilling the requirements that he had more than 70 percent disability. A copy of the order granting him extension on the basis of medical certificate issued by the Medical Board, General Hospital, Sector 6, Panchkula dated 12.4.2006 is placed on record as Annexure P.5. However, a complaint was made against the petitioner that he has procured the afore-mentioned medical certificate and it does not depict the factual disability of 40 percent. Thereafter he was referred to P.G.I. Rohtak which certified that his disability was 40 percent. On that basis the order dated 4.10.2006 has been passed withdrawing the earlier order issued on 1.5.2006 granting extension.

After hearing the learned counsel, we are of the considered view that there is no legal infirmity in the impugned order dated 4.10.2006 (Annexure P.9) because when the disability has been certified by the P.G.I.M.S.Rohtak to be 40 percent then the claim of the petitioner would

not be covered by the policy instructions dated 28.3.2006 (Annexure P.2).

There is no merit in the petition. Dismissed.

(M.M.Kumar)
Judge

(M.M.S.Bedi)
Judge

9.11.2006
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